

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:
Arnold Craven

Application No.: 10/820,754

Confirmation No.: 8778

Filed: April 9, 2004

Art Unit: 3677

For: SCREW HAVING A KNURLED PORTION

Examiner: F. Saether

SUBMISSION OF DECLARATION

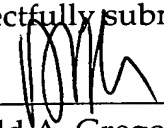
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the personal interview conducted on February 15, 2007, and the Amendment filed on February 15, 2007, Applicant submits herewith the Declaration of Arnold Craven under 37 C.F.R. § 1.132.

Dated: March 16, 2007

Respectfully submitted,

By  _____

Donald A. Gregory

Registration No.: 28,954

Peter A. Veytsman

Registration No.: 45,920

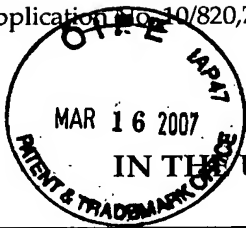
DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW

Washington, DC 20006-5403

(202) 420-2200

Attorneys for Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Arnold Craven

Application No.: 10/820,754

Confirmation No.: 8778

Filed: April 9, 2004

Art Unit: 3677

For: SCREW HAVING A KNURLED PORTION

Examiner: F. Saether

DECLARATION OF ARNOLD CRAVEN UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Arnold Craven, hereby declare as follows:

1. I am of legal age and under no disability that prevents me from attesting to the following statements and information which are based on my personal knowledge and observations.

2. I reside at 167 Lancaster Drive, Agawam, MA, 01001.

3. I am the inventor of the above-identified U.S. patent application titled Screw Having a Knurled Portion, serial no. 10/820,754, filed on April 9, 2004 ("the subject application").

4. I am currently employed by Phillips Fastener Company as a Director of Overseas Operations. I have been employed by Phillips Fastener Company since the company was founded in 1996. My previous positions with Phillips Fastener Company included: President /

COO. Prior to being employed by Phillips, I was employed as Vice President of Product Development at Chun Yu Works, R.O.C., Taiwan.

5. During my professional career, I have become very familiar with various processes and methods in manufacturing of screws and fasteners. In addition, I have become very familiar with various uses of screws and fasteners. In particular, I have been involved in various developmental projects regarding screws and fasteners. As a result, I have detailed knowledge regarding manufacturing and end use of screws and fasteners. In total, I have over 20 years of experience in research, development, design and use of screws and fasteners.

6. I have read and understand the subject application and the pending claims as amended (the "Claimed Invention").

7. I have read Searelle, U.S. Patent No. 877,131 ("Searelle"), which issued on January 21, 1908. It is my understanding that Searelle relates to a countersinking screw for wood. The Searelle screw has grooves that have a sharp cutting edge, and that run along the entire length of the screw. In use, the grooves permit the head of the screw to seat flush with the surface of the wood.

8. I have read Jones, U.S. Patent No. 471,179 ("Jones"), which issued on March 22, 1892. It is my understanding that Jones refers to screw for wood. The Jones screw has a reticulated surface under the head of the screw. In use, the reticulated surface functions as a reamer to ream out the hole left by the treaded body of the screw. In addition, during manufacturing of the screw by use of rolling-dies, formation of the reticulated surface creates a positive lock between the rolling-dies and the body of the screw.

9. I understand that certain claims of the Claimed Invention stand rejected under 35 U.S.C. 103 as being unpatentable over the combination of Searelle in view of Jones.

10. I understand that the Patent Office admits that Searelle does not disclose a knurled portion between the thread and head of the Searelle screw. The Patent Office asserts, however, that it would have been obvious to provide the Searelle screw with a reticulated ("knurled") portion as disclosed in Jones in order to provide the screw of Searelle with a securement means to prevent slipping during rolling of the threads. The Patent Office asserts

that the “positive lock,” as described in Jones, would improve the rolling of the threads in Searelle screw by preventing unwanted slipping of the rolling dies.

11. It is my opinion that it would not have been obvious to combine the features of Searelle and Jones as proposed by the Patent Office. In addition, it is my opinion that modifying the Searelle screw by adding to it features of the Jones screw, as suggested by the Patent Office, would make the Searelle screw not functional according to its intended purpose.

12. The reason supplied by the Patent Office for the motivation to combine the features of Searelle and Jones – preventing unwanted slipping of the rolling dies – is no longer applicable to modern manufacturing techniques for such screws. Slipping of the rolling dies is an old concern that has been overcome by modern manufacturing techniques. Thus, it would not have been obvious to add to the Searelle screw a knurled portion to prevent unwanted slipping of the rolling dies. To the contrary, forming a knurled portion on screw would be done only for a specific functional purpose of the screw.

13. The entire length of the Searelle screw is formed with grooves that are cut spirally across the threads and are extended up onto the underside of the head. In use, the grooves permit the head of the screw to seat itself flush with the surface of the wood. Searelle is specific in that its screw is self-sufficient for its designed purpose; according to Searelle its screw cuts its own way into the wood while the grooves fill up with the saw dust. Thus, there is no purpose for adding a knurled portion to Searelle’s screw.

14. To add a knurled portion would preclude the grooves of Searelle from extending along the length of its screw, as required for its function. If a knurled portion is added to Searelle’s screw, its flutes would not function as intended in the knurled portion.

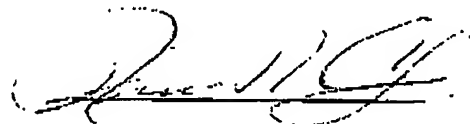
15. Accordingly, I believe that it would not have been obvious to combine the teachings of Searelle and Jones.

I declare further that all statements made herein of my own knowledge are true and that all the statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such

Application No. 10/820,754

Docket No.: P5631.0000/P029

willful false statements may jeopardize the validity of the subject application or any patent issuing thereon. Further the Declarant sayeth not.

Date: 3/13/07

Arnold Craven